REMARKS/ARGUMENTS

Claims 1-12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Applicant's Admitted Prior Art (AAPA) in view of Nachef et al., US 2005/0207562 A1, (hereinafter Nachef et al. '562). Reconsideration of the rejection is respectfully requested.

Claims 13 and 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA in view of Nachef et al. '562 and further in view of Nachef, US 2002/0137545 A1, (hereinafter Nachef '545). Reconsideration of the rejection is respectfully requested.

Claim 14 was rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA in view of Nachef '562 and further in view of Arques et al., US 2004/0131083 A1. Reconsideration of the rejection is respectfully requested.

The Examiner contends, in support of the rejection of claims 1 and 9, that AAPA discloses "a receiver operable to receive, by means of a remote access message received by mobile telephony, at least one instruction for operating on at least one piece of data contained in an array of a specified application (see Page 2, lines 19-35)," (Office Action, page 3, lines 13-15; emphasis in the original).

Applicant respectfully disagrees with the contention of the Examiner. Although page 2, lines 19-35, of the specification appears to disclose the receipt of commands by a SIM card from mobile terminals, it appears, from the description of Fig. 1, showing an example of the state of the art, that data 4D stored in an array cannot be modified remotely by a remote access (OTA) system "since the remote access system (including the remote access manager 2) does not comprise means for accessing and manipulating data in one array of one application," (specification, page 4, line 12, to page 5, line 4; quoted portion being from page 5, lines 2-4).

Thus, it appears that the AAPA does not disclose, teach, or suggest "a receiver operable to receive, by means of a remote access message received by mobile telephony, at least one instruction for operating on at least one piece of data contained in an array of a specified application," (emphasis supplied), as required by independent claim 1. Furthermore, the AAPA does not appear to disclose, teach, or suggest "receiving a message from a remote access server by mobile telephony, the message including at least one instruction regarding at least one piece

of data in one array of one application stored in the card," (emphasis supplied), as required by independent claim 9, contrary to the contention of the Examiner.

The Examiner further contends, with regard to the rejection of claims 1 and 9, that the AAPA discloses "an accessing device operable for accessing said array said accessing device further comprising a receiver operable for receiving from the specified application; the accessing device being operable for accessing said array; and apparatus operable for performing at least one operation (= written, read or manipulate, see Page 4, lines 12-35); on said at least one piece of data (Figure 1, item 4D) in said array;" (Office Action, page 3, lines 16-20).

Applicant respectfully disagrees with the contention of the Examiner. Page 4, lines 12-35 of the specification and Fig. 1, item 4D of the drawings, referenced by the Examiner, describe the state of the art, Fig. 1 showing an example of the state of the art, as previously pointed out, and item 4D being data stored in an array. However, the specification further states, immediately after page 4, lines 12-35, that, "the current remote access (OTA) system for accessing the card does not permit modifying the data 4D associated to said application remotely, since the remote access system (including the remote access manager 2) does not comprise means for accessing and manipulating data in one array of one application," (specification, page 5, lines 1-4; emphasis supplied).

Thus, it appears that the AAPA does not disclose "an accessing device operable for accessing said array according to said at least one instruction," the at least one instruction being "for operating on at least one piece of data contained in an array of a specified application," (emphasis supplied), and an "apparatus operable for performing at least one operation on at least one piece of data in said array," (emphasis supplied), as required by independent claim 1. Nor does the AAPA appear to disclose, teach, or suggest the feature of independent claim 9 requiring "operating on said at least one piece of data in said array based on the at least one instruction," (emphasis supplied), as required by independent claim 9.

With regard to the rejection of independent claims 1 and 9, the Examiner indicates, on page 3, lines 20, to page 4, line 1, of the present Office Action, that the AAPA "fails to teach an analyzer operable for analyzing said at least one instruction, 'requested reference' ...," (emphasis in original), but then does not indicate how Nachef et al. '562 supplies that deficiency. In a prior

Office Action, however, mailed on November 16, 2006, (hereinafter "the prior Office Action"), the Examiner did indicate that, with regard to Nachef et al '562, "the 'requested reference' is equated with the actual act of addition, deleting or modifying of file," (prior Office Action, page 4, lines 10-12). Since the Examiner appears not to have responded in the present Office Action to Applicant's argument in the prior filed Amendments, dated March 16, 2007, and December 6, 2007, against the contention of the Examiner that the "requested reference" of independent claims 1 and 9 is equivalent to the actual act of addition, deleting or modifying of a file, (see Amendment dated March 16, 2007, page 6, lines 13-19, and Amendment dated December 6, 2007, page 7, lines 7-13), that argument is set forth again as follows.

The Examiner contends that the "requested reference" of independent claims 1 and 9 is equivalent to the actual act of addition, deleting or modifying of a file, which the Examiner concedes are administration operations disclosed in Nachef et al. '562, (prior Office Action, page 4, lines 7-8). However, the "requested reference," as used in independent claims 1 and 9, is used for accessing the array based on the reference, and is not used for any operation such as addition, deletion or modification of a file, as disclosed in Nachef et al. '562 Such at least one operation on at least one piece of data in an array is separately claimed in independent claims 1 and 9.

Since each of claims 2-8 and 10-15 is directly or indirectly dependent upon one of independent claims 1 and 9, each of claims 2-8 and 10-15 is allowable for the same reasons recited above with respect to the allowability of independent claims 1 and 9.

In view of the foregoing remarks, allowance of claims 1-15 is respectfully requested.

Respectfully submitted,

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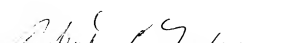

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